

15062. Adulteration of blueberry pies. U. S. v. Mrs. Smith's Pie Co., Inc. Plea of nolo contendere. Fine, \$75. (F. D. C. No. 26756. Sample Nos. 13267-K to 13269-K, incl.)

INFORMATION FILED: April 5, 1949, Eastern District of Pennsylvania, against Mrs. Smith's Pie Co., Inc., Philadelphia, Pa.

ALLEGED SHIPMENT: On or about October 7 and 8, 1948, from the State of Pennsylvania into the State of New Jersey.

LABEL, IN PART: "Deluxe Mrs. Smith's Pie."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of maggots.

DISPOSITION: September 7, 1949. A plea of nolo contendere having been entered, the defendant was fined \$75.

15063. Adulteration of ice cream cones. U. S. v. 55 Cases * * *. (F. D. C. No. 27379. Sample No. 22019-K.)

LIBEL FILED: May 25, 1949, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about April 2, 1949, by the Turnbull Cone Baking Co., from Chattanooga, Tenn.

PRODUCT: 55 cases of ice cream cones at Jackson, Miss.

LABEL, IN PART: "Turnbull 600 Dispenser Pack No. 24 Cup-O-Joy."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of insect fragments and rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 30, 1949. Default decree of forfeiture and destruction.

FLOUR

15064. Adulteration and misbranding of flour. U. S. v. 46 Bags * * *. (F. D. C. No. 27050. Sample No. 25687-K.)

LIBEL FILED: April 18, 1949, Southern District of Iowa.

ALLEGED SHIPMENT: On or about March 28, 1949, by the J & M Trading Co., from Warrensburg, Mo.

PRODUCT: 46 unlabeled bags, each bag containing 65 pounds, of flour at Des Moines, Iowa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments.

Misbranding, Sections 403 (e) (1) and (2), the product was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (g) (2), the product was flour, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the food specified in the regulations.

DISPOSITION: June 28, 1949. Default decree of condemnation and destruction.

15065. Adulteration and misbranding of enriched flour. U. S. v. Lanesville Milling Co. Plea of guilty. Fine, \$250. (F. D. C. No. 26723. Sample Nos. 19790-K, 43556-K.)

INFORMATION FILED: August 13, 1949, Southern District of Indiana, against the Lanesville Milling Co., a partnership, Lanesville, Ind.

ALLEGED SHIPMENT: On or about September 28 and December 1, 1948, from the State of Indiana into the State of Kentucky.

LABEL, IN PART: "Purity Flour" or "White Lily * * * Bleached Flour."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the article, vitamin B₁ and riboflavin, in the case of the Purity Brand, and vitamin B₁, riboflavin, niacin, and iron, in the case of the White Lily Brand, had been in part omitted; Section 403 (g) (1), the product fell below the definition and standard of identity for enriched flour since both brands contained, in each pound, less than 2 milligrams of vitamin B₁ and less than 1.2 milligrams of riboflavin, and, in addition, the White Lily Brand contained less than 16 milligrams of niacin or niacinamide and less than 13 milligrams of iron; and, Section 403 (a), the label statements, (Purity Flour) "8 ounces of this Enriched Flour contain not less than the following proportions of the minimum daily requirements of Vitamin B₁ 100%, Riboflavin 30%" and (White Lily Brand) "8 ounces of this Enriched Flour contain not less than the following proportions of the minimum daily requirements of Vitamin B₁ 100%, Riboflavin 30%, Iron 65% * * * and 8 mg. of Niacin," were false and misleading since 8 ounces of the Purity Brand would furnish smaller proportions of the minimum daily requirements for vitamin B₁ and riboflavin than represented on the label, and 8 ounces of the White Lily Brand would furnish smaller proportions of the minimum daily requirements for vitamin B₁, riboflavin, iron, and niacin than declared on the label.

DISPOSITION: September 9, 1949. A plea of guilty having been entered, the defendant was fined \$250.

15066. Misbranding of enriched flour. U. S. v. Flour Mills of America, Inc. (Valier & Spies Milling Co.). Plea of guilty. Fine, \$500. (F. D. C. No. 26709. Sample Nos. 2832-K, 46213-K.)

INFORMATION FILED: June 21, 1949, Eastern District of Missouri, against Flour Mills of America, Inc., trading as Valier & Spies Milling Co., at St. Louis, Mo.

ALLEGED SHIPMENT: On or about September 24 and November 17, 1948, from the State of Missouri into the States of North Carolina and Illinois.

LABEL, IN PART: "Valier's Dainty Vitamin and Mineral Enriched Flour" or "Dixie's Famous Vitamin and Mineral Enriched * * * Selfrising Flour."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for enriched flour since it contained less than 2 milligrams of thiamine (vitamin B₁), less than 1.2 milligrams of riboflavin, less than 16 milligrams of niacin or niacinamide, and less than 13 milligrams of iron, per pound, the minimum of these enriching ingredients permitted by the standard; and, Section 403 (a), the statements, "8 Ozs. enriched flour [or "enriched self-rising flour"] contain not less than the following proportions of the minimum daily requirements of thiamine 100%, riboflavin 30%, iron 65% * * * and 8 mg. of niacin," borne on the labels were false and misleading since 8 ounces of the product contained less than the declared proportions of the minimum daily requirements for thiamine (vitamin B₁), riboflavin, and iron, less than 8 milligrams of niacin.

DISPOSITION: July 6, 1949. A plea of guilty having been entered, the defendant was fined \$500.